



**CITY DEVELOPMENT DEPARTMENT – PLANNING
ZONING BOARD OF ADJUSTMENT MEETING MINUTES**

COUNCIL CHAMBERS, CITY HALL BUILDING

JUNE 13, 2016

1:30 P.M.

Chairman Gilyard called the meeting to order at 1:31 p.m., quorum present.

The following Board Members answered roll call:

Mr. Roy Gilyard, Chairman

Mr. Chris Villa

Mr. Darrel Tran

Mr. Blake Downey

Mr. Luis De La Cruz

Mr. James Graham

Ms. Patrice Hills

Ms. Maria Smith

The following City Staff were present:

Mr. Jeff Howell, Planning & Inspections, Senior Planner

Mr. Raul Garcia, Planning & Inspections, Planning, Zoning Administrator

Mr. Omar DeLaRosa, Assistant City Attorney, City Attorney's Office

Mr. Tony De La Cruz, Building Permits & Inspections, Senior Plans Examiner

Ms. Donna Martinez, Senior Secretary

CALL TO ORDER

Chairman Gilyard called the meeting to order at 1:30 p.m., quorum present.

PUBLIC COMMENT

Chairman Gilyard asked if anyone present who would like to address the Board on issues not posted on the agenda. *There was no response.*

CHANGES TO THE AGENDA

Item 2. PZBA16-00010 – 3239 Sal Berroteran Drive, Withdrawn per the applicant's request

Item 5. PZBA16-00016 – 3300 Jackson Avenue, Withdrawn per the applicant's request

Item 6. Approval of Minutes: March 14th, 2016 and April 11th, 2016 –

Postponed to the July 11th ZBA meeting

MOTION:

Motion made by Mr. De La Cruz, seconded by Mr. James Graham AND UNANIMOUSLY CARRIED TO AMEND AS REVISED, CHANGES OF INCIDENT.

Mayor

Oscar Leeser

City Council

District 1

Peter Svarzbein

District 2

Jim Tolbert

District 3

Emma Acosta

District 4

Carl L. Robinson

District 5

Dr. Michiel R. Noe

District 6

Claudia Ordaz

District 7

Lily Limón

District 8

Cortney C. Niland

City Manager

Tommy Gonzalez





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**PUBLIC HEARING
REGULAR AGENDA:**

ITEM 1:

PZBA16-00008

11413 Lake Tana Drive

Michael Golucke

Applicant requests a Special Exception under Section 2.16.050 J (Carport over a Driveway) in an R-3 (Residential) zone. This would permit the construction of a 491 sq. ft. carport proposed to encroach 207.7 sq. ft. into the front yard, and to be located to within 4' of the front property line. Per Section 20.12.040.B.4, a carport may extend up to 10' into the required front yard, 150 square feet in floor area. The required front setback is 20' feet in the R-3 zone district.

BACKGROUND

The existing residence was constructed in 1988. The applicants are required Special Exception J Carport over a Driveway which will encroach into the required front yard setback. There are no utility easements within the front property line. The plans show that the carport will match the house in materials and design and will rise no higher than the roof line of the existing house. The review of the structural drawings by Building Development & Permitting has been completed and approved. The Planning Division has not received any communications in support or opposition to the special exception request.

STAFF RECOMMENDS APPROVAL AS THE REQUESTED SQUARE FOOTAGE ENCROACHMENT IS LESS THAN THE MAXIMUM PERMITTED, WITH THE INCLUSE OF MODIFICATIONS PER SECTION 20.12.040.B.4.

Mr. Howell gave a presentation and responded to comments from Mr. De La Cruz regarding providing Board Members with detailed construction of subject property.

Mr. Michael Golucke, property owner, concurred with staff's recommendation and thanked Mr. Howell for his assistance.

MOTION:

Motion made by Mr. De La Cruz, seconded by Mr. Downey AND UNANIMOUSLY CARRIED TO APPROVE.

ITEM 2:

PZBA16-00010

3239 Sal Berroteran Drive

Gustavo Galaviz

Withdrawn per the applicant's request

Mayor

Oscar Leeser

City Council

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ITEM 3:

PZBA16-00014

8613 Parkland Drive

Debbie Rathbun

Applicant requests a Special Exception under Sections 2.16.050 C (Rear yard setback, single-family residence) in an R-4 (Residential) zone. This would permit the construction of a 120 sq. ft. addition to the existing single-family residence, proposed to encroach 7.5' into the required rear yard setback and is to be located to within 10.1' of the rear property line. The required front and rear yard cumulative setback total is 45 feet in the R-4 zone district.

BACKGROUND

The existing residence was constructed in 1964. The Planning Division has not received any communications in support or opposition to the special exception request, but did receive on phone call of concern.

STAFF RECOMMENDS APPROVAL OF THE SPECIAL EXCEPTION REQUEST AS THE REQUESTED SQUARE FOOTAGE IS LESS THAN THE MAXIMUM PERMITTED.

Mr. Andres Lopez, representing the property owner, concurred with staff's recommendation.

MOTION:

Motion made by Mr. Graham, seconded by Mr. Downey AND UNANIMOUSLY CARRIED TO APPROVE THE REQUEST AS SUBMITTED.

ITEM 4:

PZBA16-00015

3800 Loma Caldera Drive

D.R. Horton Homes-TX LTD

Applicant requests a Special Exception under Section 2.16.050 G (Builder Error) in an R-5 (Residential) zone. This would permit the encroachment of the principal building into the required yard setback, caused by an error in construction, for an encroachment of up to 7" into the required side street yard setback. The required side street yard setback is 10 feet, in the R-5 district.

BACKGROUND

The proposed residence is currently under construction. The Planning Division has not received any communications in support or opposition to the special exception request.

STAFF RECOMMENDS APPROVAL OF THE REQUEST AS IT MEETS THE REQUIREMENTS OF THE SPECIAL EXCEPTION G.





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Mr. Raul Garcia, Zoning Administrator, responded to comments and questions from the Board.

Ms. Joann Carrizal, Code Compliance representing D.R. Horton Homes-TX LTD, responded to comments and questions from Board Members.

Ms. Maria Isabel Reyes, resident of the neighborhood, was present to inquire about the proposed construction.

MOTION:

Motion made by Mr. De La Cruz, seconded by Mr. Downey AND UNANIMOUSLY CARRIED TO APPROVE THE REQUEST AS SUBMITTED.

ITEM 5:

<u>PZBA16-00016</u>	<u>3800 Jackson Ave</u>	<u>Maria Teresa Medina De Sanchez</u>
<i>Withdrawn per the applicant's request</i>		

6. Approval of Minutes: March 14th, 2016 and April 11th, 2016 – Postponed to the July 11th ZBA meeting

Ms. Donna Martinez, Senior Secretary, explained why the meeting minutes were not transcribed since the March, 14th ZBA meeting.

MOTION:

Motion made by Mr. Downey, seconded by Mr. Graham AND UNANIMOUSLY CARRIED TO TABLE AGENDA ITEM 6. TO THE NEXT MEETING IN JULY.

ABSTAIN: Mr. Luis De La Cruz

MOTION:

Motion made by Mr. Graham, seconded by Mr. Downey AND UNANIMOUSLY CARRIED TO ADJOURN.

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